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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To provide further emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.

IN THE HOUSE OF REPRESENTATIVES

M_____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide further emergency assistance and health care response for individuals, families, and businesses affected by the 2020 coronavirus pandemic.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interim Emergency
5 COVID–19 Relief Act”.

6 **SEC. 2. REFERENCES.**

7 Except as expressly provided otherwise, any reference
8 to “this Act” contained in any division of this Act shall

1 be treated as referring only to the provisions of that divi-
2 sion.

3 **DIVISION A—PAYCHECK PRO-**
4 **TECTION PROGRAM IN-**
5 **CREASE ACT OF 2020**

6 **SEC. 101. SHORT TITLE.**

7 This division may be cited as the “Paycheck Protec-
8 tion Program Increase Act of 2020”.

9 **SEC. 102. DIRECT APPROPRIATION FOR THE PAYCHECK**
10 **PROTECTION PROGRAM.**

11 There is appropriated, out of amounts in the Treas-
12 ury not otherwise appropriated, for the fiscal year ending
13 September 30, 2020, to remain available until September
14 30, 2021, for an additional amount \$185,000,000,000
15 under the heading “Small Business Administration—
16 Business Loans Program Account, CARES Act” for the
17 cost of guaranteed loans as authorized under paragraph
18 (36) of section 7(a) of the Small Business Act (15 U.S.C.
19 636(a)), as added by section 1102(a) of the CARES Act
20 (Public Law 116–136).

21 **SEC. 103. AMENDMENTS TO THE PAYCHECK PROTECTION**
22 **PROGRAM.**

23 (a) IN GENERAL.—Section 7(a)(36) of the Small
24 Business Act (15 U.S.C. 636(a)(36)) is amended—

25 (1) in subparagraph (A)—

1 (A) in clause (viii), by striking “and” at
2 the end;

3 (B) in clause (ix), by striking the period at
4 the end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(ix) the term ‘covered agricultural
7 enterprise’ has the meaning given in sec-
8 tion 18(b);

9 “(x) the term ‘Bank Secrecy Act’
10 means—

11 “(I) section 21 of the Federal
12 Deposit Insurance Act (12 U.S.C.
13 1829b);

14 “(II) chapter 2 of title I of Pub-
15 lic Law 91–508 (12 U.S.C. 1951 et
16 seq.); and

17 “(III) subchapter II of chapter
18 53 of title 31, United States Code;

19 “(xi) the term ‘community develop-
20 ment financial institution’ has the meaning
21 given that term under section 103 of the
22 Riegle Community Development and Regu-
23 latory Improvement Act of 1994 (12
24 U.S.C. 4702));

1 “(xii) the term ‘community financial
2 institutions’ means—

3 “(I) a community development fi-
4 nancial institution;

5 “(II) a minority depository insti-
6 tution (as defined in section 308 of
7 the Financial Institutions Reform, Re-
8 covery, and Enforcement Act of 1989
9 (12 U.S.C. 1463 note));

10 “(III) a certified development
11 company (as defined under title V of
12 the Small Business Investment Act of
13 1958 (15 U.S.C. 695 et seq.)); and

14 “(IV) an intermediary (as de-
15 fined in section 7(m)(11) of this Act);

16 “(xiii) the term ‘credit union’ means a
17 State credit union or a Federal credit
18 union, as such terms are defined, respec-
19 tively, under section 101 of the Federal
20 Credit Union Act; and

21 “(xiv) the term ‘non-bank CDFI’
22 means a community development financial
23 institution that is not an insured deposi-
24 tory institution or insured credit union.”;

1 (2) in subparagraph (D), by inserting “covered
2 agricultural enterprise,” after “veterans organiza-
3 tion,” each place it appears; and

4 (3) by adding at the end the following:

5 “(S) SET-ASIDE FOR COMMUNITY FINAN-
6 CIAL INSTITUTIONS.—

7 “(i) COMMUNITY FINANCIAL INSTITU-
8 TIONS.—In making loan guarantees under
9 this paragraph, the Administrator shall
10 guarantee not less than \$15,000,000,000
11 in loans made by—

12 “(I) community financial institu-
13 tions;

14 “(II) insured depository institu-
15 tions with consolidated assets of less
16 than \$50,000,000,000; and

17 “(III) credit unions with consoli-
18 dated assets of less than
19 \$50,000,000,000.

20 “(ii) SMALL COMMUNITY FINANCIAL
21 INSTITUTIONS.—In making loan guaran-
22 tees under this paragraph, the Adminis-
23 trator shall guarantee not less than
24 \$45,000,000,000 in loans made by—

1 “(I) community financial institu-
2 tions;

3 “(II) insured depository institu-
4 tions with consolidated assets of less
5 than \$10,000,000,000; and

6 “(III) credit unions with consoli-
7 dated assets of less than
8 \$10,000,000,000.

9 “(T) NON-BANK CDFIS.—The Secretary of
10 the Treasury and the Administrator shall
11 amend any rules or guidance issued to carry
12 out this paragraph to specify that a non-bank
13 CDFI does not have to go through a
14 reverification of information about an existing
15 customer for purposes of the Bank Secrecy Act,
16 if the non-bank CDFI has maintained an ongo-
17 ing financial relationship with the customer for
18 the previous 24 months that is well docu-
19 mented, and there is no need for further due
20 diligence based on the non-bank CDFI’s risk-
21 based approach to Bank Secrecy Act compli-
22 ance.

23 “(U) APPLICATION INFORMATION.—

24 “(i) IN GENERAL.—The Administrator
25 shall ensure that any form required by the

1 Administrator to be used in applying for a
2 covered loan complies with the following:

3 “(I) APPLICANT OWNERSHIP.—

4 In the case of an applicant (other
5 than an individual), the form requires
6 the applicant to list all individuals
7 who own 25 percent or more of the
8 equity of the applicant.

9 “(II) PROOF OF IDENTIFICA-
10 TION.—In the case of each individual
11 who own 25 percent or more of the
12 equity of the applicant, the form re-
13 quires the applicant to provide at
14 least one current, unexpired govern-
15 ment issued proof of identification for
16 such individual, which may include a
17 United States driver’s license, an
18 identification card issued by a State
19 or territory of the United States, a
20 United States permanent resident
21 card, a United States alien registra-
22 tion card, or any valid passport. El-
23 derly or disabled persons may present
24 a health insurance card or current

1 utility bill with proof of current ad-
2 dress.

3 “(III) VERIFICATION OF LEGITI-
4 MATE BUSINESS.—In the case of an
5 applicant (other than an individual
6 who is not a sole proprietorship), the
7 form requires the applicant to provide
8 at least one piece of documentation to
9 verify the applicant’s business and the
10 legitimacy of such business, including
11 but not limited to the following:

12 “(aa) For a corporation,
13 LLC, or partnership:

14 “(AA) Partnership
15 Agreement (Partnerships).

16 “(BB) Partnership Op-
17 erating Agreement (Partner-
18 ships).

19 “(CC) Certified Articles
20 of Incorporation (Corp).

21 “(DD) Limited Liabil-
22 ity Company Certificate of
23 Organization/Operating
24 Agreement (Corp or LLCs).

1 “(EE) Articles of Orga-
2 nization (Corp or LLCs).

3 “(FF) State, City, or
4 County issued Business or
5 Professional License.

6 “(GG) Association
7 Charter Papers or Organiza-
8 tional Minutes.

9 “(HH) IRS Certifi-
10 cation of Accuracy or IRS
11 EIN Letter.

12 “(II) Certificate of Sole
13 Proprietorship (Sole Prop).

14 “(JJ) Fictitious or As-
15 sumed Name Certificate or
16 documentation of Applica-
17 tion.

18 “(KK) Certified Trade
19 Name Certificate or docu-
20 mentation of Application.

21 “(LL) If DBA, a Ficti-
22 tious Name or assumed
23 name Certificate is required
24 in addition to at least ONE
25 other document herein

1 “(bb) For a non-profit: One
2 item described under item (aa)
3 and one of the following:

4 “(AA) IRS Form 1023
5 or 1023-EZ tax-exemption
6 application.

7 “(BB) Signed Organi-
8 zational Minutes.

9 “(CC) Organizational
10 Resolution.

11 “(DD) IRS Letter
12 (TIN Verification).

13 “(EE) Organizational
14 Charter.

15 “(FF) Bylaws.

16 “(cc) For a sole proprietor-
17 ship: A Fictitious or Assumed
18 Name Certificate or documenta-
19 tion of Application and one of the
20 following:

21 “(AA) United States
22 driver’s license.

23 “(BB) Identification
24 card issued by a State or

1 territory of the United
2 States.

3 “(CC) United States
4 permanent resident card.

5 “(DD) United States
6 alien registration card.

7 “(EE) United States
8 passport.

9 “(IV) VERIFICATION OF CON-
10 TROL.—In the case of an applicant
11 that is a legal entity, the form re-
12 quires the applicant to provide identi-
13 fying information for at least one indi-
14 vidual with significant responsibility
15 for managing or directing the legal
16 entity, such as an executive officer or
17 senior manager (e.g., Chief Executive
18 Officer, Chief Financial Officer, Chief
19 Operating Officer, Managing Member,
20 General Partner, President, Vice
21 President, or Treasurer) or any other
22 individual who regularly performs
23 similar functions.

24 “(ii) TREATMENT OF OLD FORMS.—

1 “(I) IN GENERAL.—If a lender
2 receives an application using an old
3 form, the lender may process the cov-
4 ered loan using the old form and a
5 lender may not be held liable for using
6 an old form instead of a form that
7 complies with the requirements of
8 clause (i).

9 “(II) OLD FORM DEFINED.—In
10 this clause, the term ‘old form’ means
11 a form to be used in applying for a
12 covered loan that was required by the
13 Administrator before the date of en-
14 actment of this subparagraph.

15 “(V) SATISFACTION OF CERTAIN BANK SE-
16 CRECY ACT REQUIREMENTS.—The certification
17 by an applicant for a covered loan of the ‘pur-
18 pose’ of the loan shall satisfy the ‘nature and
19 purpose’ of the Customer Due Diligence re-
20 quirements under the Bank Secrecy Act for
21 purposes of the lender of the covered loan, but
22 solely applied to the covered loan itself.”.

23 (b) DELEGATED AUTHORITY.—Section
24 7(a)(36)(F)(ii) of the Small Business Act (15 U.S.C.
25 636(a)(36)(F)(ii)) is amended—

1 (1) by redesignating subclause (II) as subclause
2 (III); and

3 (2) by inserting after subclause (I) the fol-
4 lowing new subclause:

5 “(III) COMMUNITY FINANCIAL
6 INSTITUTIONS.—Community financial
7 institutions are authorized to make
8 loans under this paragraph and shall
9 be deemed to have been delegated au-
10 thority by the Administrator to make
11 and approve covered loans, subject to
12 the provisions of this paragraph.”.

13 **SEC. 104. INCLUSION OF AGRICULTURAL ENTERPRISES IN**
14 **EMERGENCY EIDL GRANTS.**

15 Section 1110(a)(2) of the CARES Act (Public Law
16 116–136) is amended—

17 (1) in subparagraph (D), by striking “or” at
18 the end;

19 (2) in subparagraph (E), by striking the period
20 at the end and inserting “; or”; and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(F) an agricultural enterprise (as defined
24 in section 18(b) of the Small Business Act (15

1 U.S.C. 647(b)(1))) with not more than 500 em-
2 ployees.”.

3 **SEC. 105. LOAN AMOUNT AND AMOUNT OF LOAN FORGIVE-**
4 **NESS FOR THE PAYCHECK PROTECTION PRO-**
5 **GRAM.**

6 (a) MAXIMUM LOAN AMOUNT.—Section 7(a)(36)(E)
7 of the Small Business Act (15 U.S.C. 636(a)(36)(E)) is
8 amended by striking “2.5” each place it appears and in-
9 serting “3.0”.

10 (b) PROHIBITION ON LIMITING FORGIVENESS.—Sec-
11 tion 1106(d) of the CARES Act (Public Law 116–136)
12 is amended by adding at the end the following new para-
13 graph:

14 “(7) NO LIMITATIONS.—In carrying out this
15 section, the Administrator may not limit the non-
16 payroll portion of a forgivable covered loan
17 amount.”.

18 **SEC. 106. COMMITMENTS FOR 7(A) LOANS.**

19 Section 1102(b) of the CARES Act (Public Law 116–
20 136)is amended by striking “June 30, 2020” and all that
21 follows through the period at the end and inserting “June
22 30, 2020, the amount authorized for commitments for
23 loans made under paragraph (36) of section 7(a) of the
24 Small Business Act, as added by subsection (a), shall be
25 \$534,000,000,000.”.

1 **SEC. 107. BUDGETARY EFFECTS.**

2 (a) IN GENERAL.—The amounts provided under this
3 division, division C, and each succeeding division are des-
4 ignated as an emergency requirement pursuant to section
5 4(g) of the Statutory Pay-As-You-Go Act of 2010.

6 (b) DESIGNATION IN THE SENATE.—In the Senate,
7 this division, division C, and each succeeding division are
8 designated as emergency requirements pursuant to section
9 4112(a) of H. Con. Res. 71 (115th Congress), the concur-
10 rent resolution on the budget for fiscal year 2018.

11 **DIVISION B—EMERGENCY APPROPRIA-**
12 **TIONS FOR SMALL BUSINESS AND**
13 **HOSPITAL RECOVERY**

14 The following sums are hereby appropriated, out of
15 any money in the Treasury not otherwise appropriated,
16 for the fiscal year ending September 30, 2020, and for
17 other purposes, namely:

18 **TITLE I**

19 **OTHER INDEPENDENT AGENCIES**

20 **SMALL BUSINESS ADMINISTRATION**

21 **DISASTER LOANS PROGRAM ACCOUNT**

22 For an additional amount for “Disaster Loans Pro-
23 gram Account” for the cost of direct loans authorized by
24 section 7(b) of the Small Business Act, including for the
25 cost of emergency EIDL grants authorized by section
26 1110 division A of the CARES Act (Public Law 116–136),

1 \$65,000,000,000, to remain available until expended: *Pro-*
2 *vided*, That up to \$15,000,000,000 of the amounts pro-
3 vided under this heading in this Act shall be for the cost
4 of emergency EIDL grants authorized by section 1110 of
5 the CARES Act (Public Law 116–136): *Provided further*,
6 That up to \$1,000,000,000 of the amounts provided under
7 this heading in this Act may be transferred to and merged
8 with “Small Business Administration—Salaries and Ex-
9 penses”: *Provided further*, That such amount is designated
10 by the Congress as being for an emergency requirement
11 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
12 et and Emergency Deficit Control Act of 1985.

13 TITLE II

14 DEPARTMENT OF HEALTH AND HUMAN

15 SERVICES

16 OFFICE OF THE SECRETARY

17 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

18 FUND

19 For an additional amount for “Public Health and So-
20 cial Services Emergency Fund”, \$100,000,000,000, to re-
21 main available until expended, to prevent, prepare for, and
22 respond to coronavirus, domestically or internationally, for
23 necessary expenses to reimburse, through grants or other
24 mechanisms, eligible health care providers for health care
25 related expenses or lost revenues that are attributable to

1 coronavirus: *Provided*, That these funds may not be used
2 to reimburse expenses or losses that have been reimbursed
3 from other sources or that other sources are obligated to
4 reimburse: *Provided further*, That recipients of payments
5 under this paragraph shall submit reports and maintain
6 documentation as the Secretary determines are needed to
7 ensure compliance with conditions that are imposed by
8 this paragraph for such payments, and such reports and
9 documentation shall be in such form, with such content,
10 and in such time as the Secretary may prescribe for such
11 purpose: *Provided further*, That “eligible health care pro-
12 viders” means public entities, Medicare or Medicaid en-
13 rolled suppliers and providers, and such for-profit entities
14 and not-for-profit entities not otherwise described in this
15 proviso as the Secretary may specify, within the United
16 States (including territories), that provide diagnoses, test-
17 ing, or care for individuals with possible or actual cases
18 of COVID–19: *Provided further*, That the Secretary of
19 Health and Human Services shall, on a rolling basis, re-
20 view applications and make payments under this para-
21 graph in this Act: *Provided further*, That funds appro-
22 priated under this paragraph in this Act shall be available
23 for building or construction of temporary structures, leas-
24 ing of properties, medical supplies and equipment includ-
25 ing personal protective equipment and testing supplies, in-

1 creased workforce and trainings, emergency operation cen-
2 ters, retrofitting facilities, and surge capacity: *Provided*
3 *further*, That, in this paragraph, the term “payment”
4 means a pre-payment, prospective payment, or retrospec-
5 tive payment, as determined appropriate by the Secretary:
6 *Provided further*, That payments under this paragraph
7 shall be made in consideration of the most efficient pay-
8 ment systems practicable to provide emergency payment:
9 *Provided further*, That to be eligible for a payment under
10 this paragraph, an eligible health care provider shall sub-
11 mit to the Secretary of Health and Human Services an
12 application that includes a statement justifying the need
13 of the provider for the payment and the eligible health
14 care provider shall have a valid tax identification number:
15 *Provided further*, That, not later than 3 years after final
16 payments are made under this paragraph, the Office of
17 Inspector General of the Department of Health and
18 Human Services shall transmit a final report on audit
19 findings with respect to this program to the Committees
20 on Appropriations of the House of Representatives and the
21 Senate: *Provided further*, That nothing in this section lim-
22 its the authority of the Inspector General or the Comp-
23 troller General to conduct audits of interim payments at
24 an earlier date: *Provided further*, That not later than 60
25 days after the date of enactment of this Act, the Secretary

1 of Health and Human Services shall provide a report to
2 the Committees on Appropriations of the House of Rep-
3 resentatives and the Senate on obligation of funds, includ-
4 ing obligations to such eligible health care providers sum-
5 marized by State of the payment receipt: *Provided further*,
6 That such reports shall be updated and submitted to such
7 Committees every 60 days until funds are expended: *Pro-*
8 *vided further*, That such amount is designated by the Con-
9 gress as being for an emergency requirement pursuant to
10 section 251(b)(2)(A)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 TITLE III—GENERAL PROVISIONS—THIS
13 DIVISION

14 SEC. 201. Each amount appropriated or made avail-
15 able by this Act is in addition to amounts otherwise appro-
16 priated for the fiscal year involved.

17 SEC. 202. No part of any appropriation contained in
18 this Act shall remain available for obligation beyond the
19 current fiscal year unless expressly so provided herein.

20 SEC. 203. Unless otherwise provided for by this Act,
21 the additional amounts appropriated by this Act to appro-
22 priations accounts shall be available under the authorities
23 and conditions applicable to such appropriations accounts
24 for fiscal year 2020.

1 SEC. 204. Each amount designated in this Act by the
2 Congress as being for an emergency requirement pursuant
3 to section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985 shall be available
5 (or rescinded or transferred, if applicable) only if the
6 President subsequently so designates all such amounts
7 and transmits such designations to the Congress.

8 SEC. 205. Any amount appropriated by this Act, des-
9 ignated by the Congress as an emergency requirement
10 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
11 et and Emergency Deficit Control Act of 1985 and subse-
12 quently so designated by the President, and transferred
13 pursuant to transfer authorities provided by this Act shall
14 retain such designation.

15 SEC. 206. Not later than 14 days after the date of
16 the enactment of this Act, the Secretary of Health and
17 Human Services, in coordination with the Federal Emer-
18 gency Management Agency, and in collaboration with
19 other agencies and departments, as appropriate, shall sub-
20 mit to the Committees on Appropriations of the House
21 and Senate, the Committee on Energy and Commerce of
22 the House of Representatives, the Committee on Health,
23 Education, Labor, and Pensions of the Senate, and other
24 relevant congressional committees, as appropriate, a for-
25 mal strategy for COVID–19 diagnostic and serological

1 testing in the United States, and implementation of such
2 testing strategy in the United States, and communicate
3 such strategy to State, local, territorial, and tribal health
4 departments, including relevant public health, laboratory,
5 healthcare and industry partners, and other stakeholders:
6 *Provided*, That such strategy shall be updated every 30
7 days until the end of the COVID–19 public health emer-
8 gency first declared by the Secretary on January 31,
9 2020: *Provided further*, That such strategy shall include:

10 (1) A plan to increase domestic testing capacity
11 to a level that is sufficient to monitor and contribute
12 to the control of the transmission of SARS–CoV–2
13 in the United States; ensure that any reduction in
14 social distancing efforts, when determined appro-
15 priate by public health officials, can be undertaken
16 in a manner that optimizes the health and safety of
17 the people of the United States; and reduce dispari-
18 ties (including disparities related to race, ethnicity,
19 sex, age, disability status, socioeconomic status, and
20 geographic location) in the prevalence of, incidence
21 of, and health outcomes with respect to, COVID–19.

22 (2) A description of what level, types of, and
23 approaches to testing are necessary to sufficiently
24 monitor SARS–CoV–2 in the United States, ensure
25 that any reduction in social distancing efforts, when

1 deemed appropriate by public health officials, can be
2 undertaken in a manner that optimizes the health
3 and safety of Americans, reduce racial and ethnic
4 disparities (including disparities related to race, eth-
5 nicity, sex, age, disability status, socioeconomic sta-
6 tus, and geographic location) in the prevalence, inci-
7 dence and health outcomes of COVID–19, and spe-
8 cific benchmarks for achieving such level, types of,
9 and approaches to testing;

10 (3) Specific plans and benchmarks to ensure—

11 (A) sufficient availability of all necessary
12 testing materials and supplies, including extrac-
13 tion and testing kits, reagents, transport media,
14 swabs, instruments, analysis equipment, per-
15 sonal protective equipment for testing, if nec-
16 essary, and other equipment;

17 (B) allocation of testing materials and sup-
18 plies in a manner that optimizes public health,
19 including by considering the variable impact of
20 SARS–CoV–2 on specific States, Territories,
21 Tribes, communities, industries, and profes-
22 sions;

23 (C) sufficient evidence of validation for
24 tests that are deployed as a part of such strat-
25 egy;

1 (D) sufficient public health personnel, in-
2 cluding personnel to collect testing samples,
3 conduct and analyze testing, and conduct con-
4 tact tracing, as appropriate; and

5 (E) public reporting regarding testing, in-
6 cluding numbers of tests performed, racial and
7 demographic data related to tests performed,
8 results of tests performed, and the location of
9 tests performed;

10 (4) Specific plans to ensure adequate testing in
11 rural areas, frontier areas, health professional short-
12 age areas, and medically underserved areas;

13 (5) Specific plans to ensure adequate testing of
14 medically underserved populations or Native Ameri-
15 cans, including Indian tribes, urban Indians, or trib-
16 al organizations, and populations at increased risk
17 related to COVID-19; and

18 (6) Specific plans for broadly developing and
19 implementing serological testing in the U.S. in a
20 manner sufficient to monitor SARS-CoV-2 in the
21 United States, ensure that any reduction in social
22 distancing efforts, when deemed appropriate by pub-
23 lic health officials, can be undertaken in a manner
24 that optimizes the health and safety of Americans,
25 and reduce racial and ethnic disparities (including

1 disparities related to race, ethnicity, sex, age, dis-
2 ability status, socioeconomic status, and geographic
3 location) in the prevalence, incidence and health out-
4 comes of COVID–19.

5 SEC. 207. Not later than May 15, the Secretary of
6 Health and Human Services, in coordination with the Cen-
7 ters for Disease Control and Prevention (“CDC”), shall
8 issue a report on the demographic characteristics, includ-
9 ing race, ethnicity, age, and sex, of individuals diagnosed
10 with COVID–19: *Provided*, That such report shall include
11 information on the number of cases, hospitalizations, and
12 deaths as a result of COVID–19: *Provided further*, That
13 such report shall include, as appropriate, demographic
14 data and information collected by State, local, tribal, or
15 territorial departments of public health: *Provided further*,
16 That such report shall detail, to the extent possible,
17 whether the diagnoses, hospitalizations, or deaths are sole-
18 ly attributable to COVID–19: *Provided further*, That the
19 Secretary and the Director of the CDC may consult with
20 State, local, tribal, or territorial departments of public
21 health, public health entities, health care entities, aca-
22 demic institutions, or other entities, as appropriate: *Pro-*
23 *vided further*, That the Secretary and the Director of the
24 CDC shall collaborate with State, local, tribal or territorial
25 health departments to improve the collection of such de-

1 mographic data: *Provided further*, That such report shall
2 be updated and submitted to the Committees on Appro-
3 priations of the House and Senate, and the Committee on
4 Energy and Commerce of the House of Representatives
5 and the Committee on Health, Education, Labor, and
6 Pensions of the Senate, every 30 days until the end of
7 the COVID–19 public health emergency first declared by
8 the Secretary on January 31, 2020: *Provided further*, That
9 not later than 180 days after the date of enactment of
10 this Act, the Secretary shall issue a comprehensive report
11 on the difference in the number of positive diagnoses, hos-
12 pitalizations, and deaths as a result of COVID–19,
13 disaggregated by race, ethnicity, age, and sex, and an
14 analysis of any variances of positive diagnoses, hospitaliza-
15 tions, and deaths by demographic characteristic, and pro-
16 vide policy recommendations to reduce disparities related
17 to COVID–19.

18 SEC. 208. (a) The last proviso under the heading
19 “Election Assistance Commission—Election Security
20 Grants” in the Financial Services and General Govern-
21 ment Appropriations Act, 2020 (division C of Public Law
22 116–93; 133 Stat. 2461) shall not apply with respect to
23 any payment made to a State using funds appropriated
24 or otherwise made available to the Election Assistance

1 Commission under the Coronavirus Aid, Relief, and Eco-
2 nomic Security Act (Public Law 116–136).

3 (b) The first proviso under the heading “Election As-
4 sistance Commission—Election Security Grants” in the
5 Coronavirus Aid, Relief, and Economic Security Act (Pub-
6 lic Law 116–136) is amended by striking “within 20 days
7 of each election in the 2020 Federal election cycle in that
8 State,” and inserting “not later than October 30, 2021,”.

9 (c) The fourth proviso under the heading “Election
10 Assistance Commission—Election Security Grants” in the
11 Coronavirus Aid, Relief, and Economic Security Act (Pub-
12 lic Law 116–136) is amended by striking “December 31,
13 2020” and inserting “September 30, 2021”.

14 (d) Notwithstanding any requirement that a State
15 legislature appropriate and release any funds made avail-
16 able under the Help America Vote Act of 2002, the chief
17 election official of each State shall have access to the funds
18 made available under the heading “Election Assistance
19 Commission—Election Security Grants” in the
20 Coronavirus Aid, Relief, and Economic Security Act (Pub-
21 lic Law 116–136) without any such action by the State
22 legislature.

23 (e) A State may elect to reallocate funds allocated
24 under the heading “Election Assistance Commission—
25 Election Security Grants” in the Coronavirus Aid, Relief,

1 and Economic Security Act (Public Law 116–136) as
2 funds allocated under the heading “Election Assistance
3 Commission—Election Security Grants” in the Financial
4 Services and General Government Appropriations Act,
5 2020 (division C of Public Law 116–93; 133 Stat. 2461)
6 that were spent to prevent, prepare for, and respond to
7 coronavirus, domestically or internationally, for the 2020
8 Federal election cycle; or funds allocated under the head-
9 ing “Election Assistance Commission—Election Reform
10 Program” in the Financial Services and Government Ap-
11 propriations Act, 2018 (division E of Public Law 115–
12 141) that were spent to prevent, prepare for, and respond
13 to coronavirus, domestically or internationally, for the
14 2020 Federal election cycle.

15 (f) This section shall take effect as if included in the
16 enactment of the Coronavirus Aid, Relief, and Economic
17 Security Act (Public Law 116–136).

18 (g) The amounts repurposed in this section that were
19 previously designated by the Congress as an emergency
20 requirement pursuant to the Balanced Budget and Emer-
21 gency Deficit Control Act of 1985 are designated by the
22 Congress as an emergency requirement pursuant to sec-
23 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985.

1 BUDGETARY EFFECTS

2 SEC. 209. (a) STATUTORY PAYGO SCORECARDS.—

3 The budgetary effects of this division shall not be entered
4 on either PAYGO scorecard maintained pursuant to sec-
5 tion 4(d) of the Statutory Pay-As-You-Go Act of 2010.

6 (b) SENATE PAYGO SCORECARDS.—The budgetary
7 effects of this division shall not be entered on any PAYGO
8 scorecard maintained for purposes of section 4106 of H.
9 Con. Res. 71 (115th Congress).

10 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—

11 Notwithstanding Rule 3 of the Budget Scorekeeping
12 Guidelines set forth in the joint explanatory statement of
13 the committee of conference accompanying Conference Re-
14 port 105–217 and section 250(c)(7) and (c)(8) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985,
16 the budgetary effects of this division shall be estimated
17 for purposes of section 251 of such Act.

18 (d) ENSURING NO WITHIN-SESSION SEQUESTRA-

19 TION.—Solely for the purpose of calculating a breach with-
20 in a category for fiscal year 2020 pursuant to section
21 251(a)(6) or section 254(g) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985, and notwith-
23 standing any other provision of this division, the budg-
24 etary effects from this division shall be counted as

1 amounts designated as being for an emergency require-
2 ment pursuant to section 251(b)(2)(A) of such Act.

3 This division may be cited as the “Emergency Appro-
4 priations for Small Business and Hospital Recovery”.

5 **DIVISION C—ADDITIONAL**
6 **CORONAVIRUS RELIEF FUND**

7 **SEC. 301. ENHANCED FUNDING FOR CORONAVIRUS RELIEF**
8 **FOR STATES, TRIBAL GOVERNMENTS, AND**
9 **MUNICIPAL AND COUNTY GOVERNMENTS.**

10 (a) IN GENERAL.—Title VI of the Social Security Act
11 (42 U.S.C. 801 et seq.) is amended by adding at the end
12 the following:

13 **“SEC. 602. ENHANCED FUNDING FOR CORONAVIRUS RE-**
14 **LIEF FOR STATES, TRIBAL GOVERNMENTS,**
15 **AND MUNICIPAL AND COUNTY GOVERN-**
16 **MENTS.**

17 “(a) APPROPRIATION.—

18 “(1) IN GENERAL.—Out of any money in the
19 Treasury of the United States not otherwise appro-
20 priated, there are appropriated for making payments
21 under this section to States, Tribal governments,
22 and municipal and county governments,
23 \$150,000,000,000 for fiscal year 2020. Funds ap-
24 propriated under this paragraph and paid in accord-
25 ance with this section shall be in addition to the

1 funds appropriated under subsection (a) of section
2 601 and paid to States, Tribal governments, and
3 units of local government under that section.

4 “(2) RESERVATION OF FUNDS.—Of the amount
5 appropriated under paragraph (1), the Secretary
6 shall reserve—

7 “(A) \$3,000,000,000 of such amount for
8 making payments to the Commonwealth of
9 Puerto Rico, the United States Virgin Islands,
10 Guam, the Commonwealth of the Northern
11 Mariana Islands, and American Samoa;

12 “(B) \$8,000,000,000 of such amount for
13 making payments to Tribal governments; and

14 “(C) \$53,550,000,000 of such amount for
15 making payments to municipal and county gov-
16 ernments.

17 “(b) RULES GOVERNING THE DISTRIBUTION OF EN-
18 HANCED FUNDING.—The amount appropriated under
19 subsection (a) shall be allotted and paid to States, Tribal
20 governments, and municipal and county government in ac-
21 cordance with the succeeding provisions of this section and
22 shall be subject to the same requirements applicable to
23 the amounts paid under section 601, subject to the fol-
24 lowing:

1 “(1) SHORTENED DEADLINE FOR PAYMENTS.—

2 Subsection (b)(1) of section 601 shall apply to the
3 payments made under this section by substituting
4 ‘15 days’ for ‘30 days’.

5 “(2) PAYMENTS.—The amount paid under this
6 section to a State that is 1 of the 50 States or the
7 District of Columbia shall be the sum of—

8 “(A) the relative population proportion
9 amount determined for the State under para-
10 graph (3) of this subsection; and

11 “(B) the relative infection rate proportion
12 amount determined for the State under para-
13 graph (4) of this subsection.

14 “(3) RELATIVE POPULATION PROPORTION
15 AMOUNT.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (B), the relative population proportion
18 amount for a State that is 1 of the 50 States
19 or the District of Columbia is the product of—

20 “(i) \$65,450,000,000; and

21 “(ii) the relative State population pro-
22 portion as determined under section
23 601(c)(4), except that, in applying such
24 section for purposes of this paragraph, the

1 District of Columbia shall be included in
2 the total population of all States.

3 “(B) MINIMUM PAYMENT.—

4 “(i) IN GENERAL.—The relative popu-
5 lation proportion amount determined for
6 any State that is 1 of the 50 States or the
7 District of Columbia shall not be less than
8 \$500,000,000.

9 “(ii) PRO RATA ADJUSTMENTS.—The
10 Secretary shall adjust on a pro rata basis
11 the relative population proportion amounts
12 determined under this paragraph to the ex-
13 tent necessary to comply with the require-
14 ment of clause (i).

15 “(4) RELATIVE INFECTION RATE PROPORTION
16 AMOUNT.—With respect to a State that is 1 of the
17 50 States or the District of Columbia, the relative
18 infection rate proportion amount is the product of—

19 “(A) \$20,000,000,000; and

20 “(B) the quotient of—

21 “(i) the coronavirus infection rate de-
22 termined for the State; and

23 “(ii) the sum of the coronavirus infec-
24 tion rates determined for all such States.

1 “(5) DIRECT PAYMENTS TO MUNICIPAL AND
2 COUNTY GOVERNMENTS.—

3 “(A) DISTRIBUTION BASED ON CDBG AL-
4 LOCATIONS TO MUNICIPAL AND COUNTY GOV-
5 ERNMENTS.—The Secretary shall distribute the
6 amount reserved under subsection (a)(2)(C) di-
7 rectly to municipal and county governments
8 that received allocations under section 106 of
9 the Housing and Community Development Act
10 of 1974 (42 U.S.C. 5306) for fiscal year 2020
11 pursuant to the same formula used to make
12 such allocations under that section for such fis-
13 cal year.

14 “(B) CERTIFICATION OF USE OF FUNDS.—
15 Subsection (e) of section 601 shall apply to pay-
16 ments to municipal and county governments
17 under this section in the same manner as that
18 subsection applies to payments to units of local
19 governments under section 601.

20 “(C) NONAPPLICATION OF OTHER SECTION
21 601 PROVISIONS RELATING TO UNITS OF LOCAL
22 GOVERNMENT.—Subsections (b)(2), (c)(5), and
23 (g)(2) shall not apply to payments to municipal
24 and county governments under this section.

1 “(6) PAYMENTS TO TERRITORIES.—The
2 amount paid under this section to the Common-
3 wealth of Puerto Rico, the United States Virgin Is-
4 lands, Guam, the Commonwealth of the Northern
5 Mariana Islands, or American Samoa, shall be the
6 amount equal to the product of—

7 “(A) the amount set aside under sub-
8 section (a)(2)(A); and

9 “(B) each such territory’s share of the
10 combined total population of all such territories,
11 as determined by the Secretary.

12 “(7) PAYMENTS TO TRIBAL GOVERNMENTS.—
13 The amounts paid under this section to Tribal gov-
14 ernments from the amount set aside under sub-
15 section (a)(2)(B) shall be determined in the same
16 manner as the amounts paid to Tribal governments
17 under section 601(c)(7).

18 “(8) DATA.—Section 601(c)(8) shall apply to
19 the determinations of the payment amounts under
20 this section except that, for purposes of determining
21 the relative infection rate proportion amounts under
22 paragraph (4), the Secretary shall use the most re-
23 cently daily updated data on the number of COVID-
24 19 cases published on the Internet by the Centers
25 for Disease Control and Prevention.

1 “(c) APPLICATION OF OTHER PROVISIONS.—The
2 amounts paid under this section shall be subject to—

3 “(1) the use of funds, certification, and over-
4 sight requirements of subsections (d), (e), and (f) of
5 section 601 in the same manner as such require-
6 ments apply to the amounts paid under that section;

7 “(2) the definitions of each paragraph of sec-
8 tion 601(g) other than paragraph (2) of that section;
9 and

10 “(3) the requirements contained in Public Law
11 116–94 for funds for programs authorized under
12 sections 330 through 340 of the Public Health Serv-
13 ice Act (42 U.S.C. 254 through 256).”.

14 (b) TECHNICAL CORRECTION.—Effective as if in-
15 cluded in the enactment of the Coronavirus Aid, Relief,
16 and Economic Security Act (Public Law 116–136), para-
17 graph (2) of section 601(d) of the Social Security Act,
18 as added by section 5001(a) of the Coronavirus Aid, Re-
19 lief, and Economic Security Act, is amended by striking
20 “for the State or government” and inserting “for the
21 State, Tribal government, or unit of local government
22 that, without the use of such funds, the State, Tribal gov-
23 ernment, or unit of local government would be unable to
24 provide because of decreased or delayed revenues during

1 the period that begins on March 1, 2020, and ends on
2 December 30, 2020”.

3 **SEC. 302. PROVIDING PAYMENT TO THE DISTRICT OF CO-**
4 **LUMBIA FROM CORONAVIRUS RELIEF FUND**
5 **EQUAL TO MINIMUM PAYMENT TO STATES.**

6 Notwithstanding section 601 of the Social Security
7 Act (as added by section 5001(a) of the Coronavirus Aid,
8 Relief, and Economic Security Act (Public Law 116–
9 136)), out of any money in the Treasury of the United
10 States not otherwise appropriated, there are appropriated
11 for an additional amount for payments to the District of
12 Columbia such sums as may be necessary to increase the
13 amount of the payment made to the District of Columbia
14 under subsection (c)(6) of such section 601 to
15 \$1,250,000,000.

16 **DIVISION D—SUPPLEMENTAL**
17 **NUTRITION ASSISTANCE PRO-**
18 **GRAM**

19 **SEC. 401. NUTRITION ASSISTANCE ALLOTMENT AMOUNT.**

20 (a) **VALUE OF BENEFITS.**—Notwithstanding any
21 other provision of law, beginning on May 1, 2020, the
22 value of benefits determined under section 8(a) of the
23 Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)), and
24 consolidated block grants for Puerto Rico and American
25 Samoa determined under section 19(a) of such Act (7

1 U.S.C. 2028(a)), shall be calculated using 115 percent of
2 the June 2019 value of the thrifty food plan (as defined
3 in section 3 of such Act (7 U.S.C. 2012)) if the value of
4 the benefits and block grants would be greater under that
5 calculation than in the absence of this subsection.

6 (b) MINIMUM AMOUNT.—

7 (1) IN GENERAL.—The minimum value of bene-
8 fits determined under section 8(a) of the Food and
9 Nutrition Act of 2008 (7 U.S.C. 2017(a)) for a
10 household of not more than 2 members shall be \$30.

11 (2) EFFECTIVENESS.—Paragraph (1) shall re-
12 main in effect until the date on which 8 percent of
13 the value of the thrifty food plan for a household
14 containing 1 member, rounded to the nearest whole
15 dollar increment, is equal to or greater than \$30.

16 (c) REQUIREMENTS FOR THE SECRETARY.—In car-
17 rying out this section, the Secretary shall—

18 (1) consider the benefit increases described in
19 each of subsections (a) and (b) to be a “mass
20 change”;

21 (2) require a simple process for States to notify
22 households of the increase in benefits;

23 (3) not include any errors in the implementa-
24 tion of this section in the payment error rate cal-

1 culated under section 16(c) of the Food and Nutri-
2 tion Act of 2008 (7 U.S.C. 2025(c)); and

3 (4) disregard the additional amount of benefits
4 that a household receives as a result of this section
5 in determining the amount of overissuances under
6 section 13 of the Food and Nutrition Act of 2008
7 (7 U.S.C. 2022).

8 (d) PROVISIONS FOR IMPACTED WORKERS.—Not-
9 withstanding any other provision of law, the requirements
10 under subsections (d)(1)(A)(ii) and (o) of section 6 of the
11 Food and Nutrition Act of 2008 (7 U.S.C. 2015) shall
12 not be in effect during the period beginning on May 1,
13 2020, and ending 2 years after the date of enactment of
14 this Act.

15 (e) ADMINISTRATIVE EXPENSES.—

16 (1) IN GENERAL.—For the costs of State ad-
17 ministrative expenses associated with carrying out
18 this section and administering the supplemental nu-
19 trition assistance program established under the
20 Food and Nutrition Act of 2008 (7 U.S.C. 2011 et
21 seq.), the Secretary shall make available
22 \$150,000,000 for fiscal year 2020 and
23 \$150,000,000 for fiscal year 2021.

24 (2) TIMING FOR FISCAL YEAR 2020.—Not later
25 than 60 days after the date of the enactment of this

1 Act, the Secretary shall make available to States
2 amounts for fiscal year 2020 under paragraph (1).

3 (3) ALLOCATION OF FUNDS.—Funds described
4 in paragraph (1) shall be made available as grants
5 to State agencies for each fiscal year as follows:

6 (A) 75 percent of the amounts available
7 for each fiscal year shall be allocated to States
8 based on the share of each State of households
9 that participate in the supplemental nutrition
10 assistance program as reported to the Depart-
11 ment of Agriculture for the most recent 12-
12 month period for which data are available, ad-
13 justed by the Secretary (as of the date of the
14 enactment of this Act) for participation in dis-
15 aster programs under section 5(h) of the Food
16 and Nutrition Act of 2008 (7 U.S.C. 2014(h));
17 and

18 (B) 25 percent of the amounts available
19 for each fiscal year shall be allocated to States
20 based on the increase in the number of house-
21 holds that participate in the supplemental nu-
22 trition assistance program as reported to the
23 Department of Agriculture over the most recent
24 12-month period for which data are available,
25 adjusted by the Secretary (as of the date of the

1 enactment of this Act) for participation in dis-
2 aster programs under section 5(h) of the Food
3 and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

4 (f) COMMONWEALTH OF THE NORTHERN MARIANA
5 ISLANDS.—There is hereby appropriated out of any money
6 in the Treasury not otherwise appropriated, for an addi-
7 tional amount for the Commonwealth of the Northern
8 Mariana Islands, \$1,822,200, to remain available until
9 September 30, 2021, for nutrition assistance to prevent,
10 prepare for, and respond to coronavirus.

11 (g) SNAP RULES.—No funds (including fees) made
12 available under this Act or any other Act for any fiscal
13 year may be used to finalize, implement, administer, en-
14 force, carry out, or otherwise give effect to—

15 (1) the final rule entitled “Supplemental Nutri-
16 tion Assistance Program: Requirements for Able-
17 Bodied Adults Without Dependents” published in
18 the Federal Register on December 5, 2019 (84 Fed.
19 Reg. 66782);

20 (2) the proposed rule entitled “Revision of Cat-
21 egorical Eligibility in the Supplemental Nutrition
22 Assistance Program (SNAP)” published in the Fed-
23 eral Register on July 24, 2019 (84 Fed.
24 Reg.35570); or

1 (3) the proposed rule entitled “Supplemental
2 Nutrition Assistance Program: Standardization of
3 State Heating and Cooling Standard Utility Allow-
4 ances” published in the Federal Register on October
5 3, 2019 (84 Fed. Reg. 52809).

6 (h) FUNDING.—There are hereby appropriated to the
7 Secretary of Agriculture, out of any money in the Treas-
8 ury not otherwise appropriated, such sums as may be nec-
9 essary to carry out this section.